

**STATE OF COLORADO
DIVISION OF ADMINISTRATIVE HEARINGS**

**OPTION TO ENGAGE IN
ALTERNATIVE DISPUTE RESOLUTION
(MEDIATION)**

CASE NAME: _____

CASE NUMBER: _____

This agency licensing proceeding will be scheduled for hearing before an administrative law judge of the Division of Administrative Hearings ("the Division"). The Division encourages parties to use alternative methods of dispute resolution and offers to the agency and the applicant the opportunity to engage in mediation.

Mediation is a process in which a neutral third party meets with the parties to assist them in reaching a negotiated settlement of the disciplinary proceeding. If the parties are able to reach an agreement in this way, they will control the outcome of this licensing case by agreeing to a solution, rather than having a solution imposed upon them by an administrative law judge after a hearing.

In mediation, the mediator facilitates communication between the parties in a private, confidential and informal meeting. If the applicant has an attorney, the attorney will participate. The mediator has no decision-making authority; no settlement or solution will be achieved unless both parties are in agreement. A mediator can often help the parties generate creative options to resolve the case, even though those options would not be available if the case proceeded to a hearing before an administrative law judge. Mediators may be able to assist the parties in reaching a settlement even where the parties' prior, unassisted negotiations have failed to result in an agreement.

If both parties agree to mediate this license application case they may notify the Division of Administrative Hearings, which will assign an administrative law judge or other qualified mediator to conduct the mediation. A mediator acts in a completely confidential manner and has no contact with the judge to whom the case is assigned for hearing.

The parties should indicate whether they wish to engage in mediation by completing the information on the reverse side of this form. The license applicant should return the completed form to the Division of Administrative Hearings.

**AGENCY'S ELECTION TO MEDIATE
(CHECK THE APPROPRIATE BOX)**

☐ The agency in the license application proceeding described on the front of this form believes that mediation of this dispute is appropriate and elects to engage in mediation at the Division of Administrative Hearings.

☐ The agency in the license application proceeding described on the front of this form chooses not to engage in mediation at this time.

(Signature of Agency Official or
Assistant Attorney General)

(Date)

**APPLICANT'S ELECTION TO MEDIATE
(CHECK THE APPROPRIATE BOX)**

☐ The applicant in the license application proceeding described on the front of this form believes that mediation of this dispute is appropriate and elects to engage in mediation at the Division of Administrative Hearings.

☐ The applicant in the license application proceeding described on the front of this form chooses not to engage in mediation at this time.

(Signature of Applicant or
Applicant's Attorney)

(Date)

THE APPLICANT MUST RETURN THIS FORM TO THE DIVISION OF ADMINISTRATIVE HEARINGS, EVEN IF THE APPLICANT HAS NOT CHOSEN TO ENGAGE IN MEDIATION. THE ADDRESS OF THE DIVISION OF ADMINISTRATIVE HEARINGS IS 1120 LINCOLN STREET, SUITE 1400, DENVER, CO 80203. A COPY OF THIS FORM SHOULD ALSO BE SENT TO THE ATTORNEY GENERAL.